IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

NOTICE OF MOTION NO.1072 OF 2004

IN

SUIT NO.1070 OF 2004

...

Jayant Chunilal Kathrani ...Plaintiff

v/s.

Jeshtaram Chunilal Kathrani

and ors. ...Defendants

...

Mr.Shah for the Plaintiff.

Mr.D.D.Madon i/b Vigil Juris for Defendants Nos. 1, 2 & 7.

Mrs.Vyas i/b R.M.Vanoo for the Defendant No.5.

...

CORAM: D.K.DESHMUKH, J.

DATED: 20TH JANUARY,2006

P.C.:

In the order dated 12-1-2006 following statement made on behalf of the Defendants Nos. 1, 2 & 7 has been recorded:

"A statement is made on behalf of the defendant Nos. 1, 2 & 7 that the amount standing to the credit of the deceased in the accounts shall not be disbursed until further orders of the court."

2. With the consent of the Plaintiff, the above quoted statement is directed to be substituted by following statement:

"Mr.Madon, learned Counsel for Defendant Nos. 1, 2 & 7 makes a statement that the amounts standing to the credit of the deceased in the accounts will not be disbursed except for filing probate proceedings, for payment of statutory dues and also for maintaining accounts until further orders of this Court."

By consent of Plaintiff, following should be added to

the order:

"Defendants Nos. 1 & 2 shall furnish accounts that they are maintaining to the Plaintiff.

Defendants Nos. 1, 2 & 7 shall be at liberty to apply to the court in case they are required to spend any amount from the accounts for any purpose than the purpose indicated above."

Order be modified accordingly.

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